

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

534,507
PCT/JP2003/013628



Applicant's or agent's file reference YCT-869	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2003/013628	International filing date (day/month/year) 24 October 2003 (24.10.2003)	Priority date (day/month/year) 11 November 2002 (11.11.2002)
International Patent Classification (IPC) or national classification and IPC B24B 37/04		
Applicant EBARA CORPORATION		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☒ (sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
- This report contains indications relating to the following items:
 - ☒ Box No. I Basis of the report
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 28 April 2004 (28.04.2004)	Date of completion of this report 08 February 2005 (08.02.2005)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/013628

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages _____ 1-11 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- pages _____ 1-8 _____, as originally filed/furnished
- pages* _____, as amended (together with any statement) under Article 19
- pages* _____ 9-11 _____ received by this Authority on 28 April 2004 (28.04.2004)
- pages* _____ received by this Authority on _____
- ☒ the drawings:
- pages _____ 1-10 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP03/13628

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	6, 8-10	YES
	Claims	1-5, 7, 11	NO
Inventive step (IS)	Claims		YES
	Claims	1-11	NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: JP, 10-156705, A

Document 2: JP, 9-97772, A

Document 3: JP, 5-285825, A

Document 4: JP, 10-6207, A

Document 5: JP, 2002-246346, A

Document 6: JP, 2001-71250, A

Claims 1-5, 7 and 11

Document 1 cited in the ISR describes (1) an elastic material sheet (a) spread over the top face of a table and (b) having plural projections sectioned by grooves on the surface, and (2) an abrasive pad on the elastic material sheet.

Document 2 cited in the ISR describes further (1) a fluid chamber as a recess on the top face of a table, (2) an elastic material sheet having plural depressions for hermetically containing a fluid on the top face of the table, (3) an elastic material sheet deformed in response to the feed pressure of the fluid fed from a fluid feed section, and (4) a fluid source having a control section for controlling the feed pressure.

Document 3 cited in the ISR describes (1) an elastic material sheet spread on the top face of a table, (2) an abrasive pad on the elastic material sheet, and (3) an elastic material sheet for hermetically containing a fluid on the top face of the table.

Document 4 cited in the ISR describes further (1) a recess on the top face of a table, (2) an elastic material sheet deformed in response to the feed pressure of the fluid fed from a fluid feed section, (3) a fluid source having a control section for controlling the feed pressure, and (4) a rotary joint provided in a passage.

So, the subject matters of claims 1-5, 7 and 11 do not appear to be novel or to involve an inventive step.

Claim 6

The subject matter of claim 6 does not appear to involve an inventive step in view of document 2 and document 5 cited in the ISR. A person skilled in the art could have easily applied the piston of document 5 instead of the air cells and fluid feed means described in document 2.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: V

Claim 8

The subject matter of claim 8 does not appear to involve an inventive step in view of document 3 and document 6 cited in the ISR. A person skilled in the art could have easily applied the belt structure described in document 6 instead of the polisher structure described in document 3.

Claims 9 and 10

A person skilled in the art could have easily arrived at the subject matters of claims 9 and 10 by merely applying the pressing member for fixing an abrasive pad described in document 1 or 3 to an elastic material sheet.